

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

August 17, 2010

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, July 6, 2010, pp.10-14**
- IV. Budget Amendments – Yes, pp.15-21**
- V. New Business, pp.24-75**
- VI. Continuing Business / Presentations**
 - A. Council Services Committee, pp.76-77**
 - B. Ad Valorem Tax**
 - Mr. Ryan Barrow**
Director, Division of Budgeting
 - Ms. Linda Rumpke**
Commissioner of Finance & Administration
 - C. Distillery District Public Improvements Program Engineering Services Agreement**
 - Mr. Brian Marcum**
Director, Central Purchasing
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**
- X. Closed Session – Proposed and Pending Litigation**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization of a Carfax Authorization with Police Reports.US in Exchange for a Carfax Account on Behalf of the Department of Public Safety, Division of Police. (373-10) (Bastin/Bennett)
This request will authorize approval to grant PoliceReports.US authority to provide only vehicle identification numbers (VIN) from their database on reported traffic accidents within Lexington-Fayette County to Carfax, Inc. In exchange for this service, the Division of Police will receive a free Carfax account. There is no budgetary impact.**p.24**
- B. Authorization of a Memorandum of Agreement (MOA) with the Kentucky Fire Commission on Behalf of the Department of Public Safety, Division of Fire & Emergency Services. (375-10) (Hendricks/Bennett)
This request will authorize approval of a MOA for Octane Pro 3700 Elliptical fitness equipment awarded by the Kentucky Fire Commission to the Division of Fire & Emergency Services. There is no budgetary impact.**pp.25-27**
- C. Authorization to Accept an Award from the Kentucky Justice & Public Safety Cabinet (JPSC), Kentucky State Police (KSP), on Behalf of the Department of Public Safety, Division of Police for the Ticketing Aggressive Cars and Trucks (TACT) Grant Program – FY2011. (378-10) (Gooding/Bennett)
This request will authorize the acceptance of an award of federal funds in the amount of \$25,000 from KSP for the TACT grant program on behalf of the Division of Police. A local match of 20% (\$6,250) is required and will come from budgeted staff salaries within the Division. Funds will be used for officer overtime for TACT activities. Total program cost is \$31,250.**p.28**
- D. Authorization of a Subrecipient Agreement with the Louisville Metro Police Department (LMPD) under LFUCG Agreement with the Kentucky Office of Homeland Security (KOHS) for Improvised Explosive Devices (IED) Training. (379-10) (Gooding/Bennett)
This request will authorize the approval of a Subrecipient Agreement with LMPD for the transfer of equipment purchased by LFUCG under terms of agreement with KOHS for IED Training. Louisville will be responsible for the care and maintenance of equipment and all associated costs. There is no budgetary impact.**p.29**

- E. Authorization of a Professional Services Agreement (PSA) with Bridgette Ganahl, Sexual Assault Nurse Examiners (SANE), for Performance of Forensic Examinations – FY2010. (383-10) (Gooding /Bennett)
This request will authorize approval of a PSA with Bridgette Ganahl, SANE, to serve on an *on-call* basis for the performance of forensic examinations at the University of Kentucky Emergency Room. Federal funding is provided under the Violence Against Women Act from the Kentucky Justice Cabinet. The agreement is from June 1 through December 31, 2010. Funds are budgeted.**p.30**
- F. Authorization to Accept an Award Offered by the Kentucky Justice & Public Safety Cabinet (JPSC) on Behalf of the Department of Public Safety, Division of Police and the Fayette County Commonwealth Attorney's Office for Continuation of the Street Sales Drug Enforcement Project – FY2011. (384-10) (Gooding/Bennett)
This request will authorize the acceptance of an award of federal funds in the amount of \$100,000 from the Kentucky JPSC on behalf of the Division of Police and the Fayette County Attorney's Office to continue the Street Sales Drug Enforcement project. A local match of 25% (\$33,333) is required. Funds in the amount of \$20,157 will come from the Division's FY2011 General Fund budget and \$13,176 will be provided by the FY2011 General Fund budget for the Commonwealth Attorney's Office. The source of funds is the US Department of Justice, Edward Byrne Memorial Justice Assistance grant program. Total project cost is \$133,333.**p.31**
- G. Authorization to Accept an Award from the Kentucky Justice & Public Safety Cabinet (JPSC), Kentucky State Police (KSP), on Behalf of the Department of Public Safety, Division of Police for Operation of a Motor Carrier Safety Assistance Program (MCSAP) – FY2011. (388-10) (Gooding/Bennett)
This request will authorize the acceptance of federal funds in the amount of \$75,000 from the Kentucky JPSC, KSP, on behalf of the Division of Police for the continuation of the MCSAP. A local match of 20% (\$18,750) is required and will come from staff salaries within the Division. Funds will be used for officer overtime, professional development, minor equipment and operating supplies. Total program cost is \$93,750.**p.32**
- H. Authorization to Approve Information Station Specialists, Inc. as the Sole Source for Purchase of ALERT AM Emergency Advisory Radio System on Behalf of the Department of Public Safety, Division of Emergency Management/911. (395-10) (Gooding/Bennett)
This request will authorize approval of Information Station Specialist, Inc. as the sole source provider for purchase of a third ALERT AM Emergency Advisory Radio System to be placed near the Kentucky Horse Park. The cost of the purchase is \$38,580 and is funded by the Department of Homeland Security, Federal Emergency Management

Agency from the Kentucky Department of Military Affairs, Division of Emergency Management under the Chemical Stockpile Emergency Preparedness Program.**p.33**

- I. Authorization to Amend Section 23-5 of the Code of Ordinances within the Department of Public Safety, Division of Police. (390-10) (L. Jarvis/Bennett)

This request will authorize approval of an amendment to Section 23-5 of the Code of Ordinances to abolish one (1) position of sworn Police Captain (Grade 318E) and create one (1) position of sworn Police Lieutenant (Grade 317E) within the Division of Police. The fiscal impact for FY2011 is a savings of \$24,304.82. The annual impact is a savings of \$30,091.68.**p.34**

- J. Authorization of an Addendum to Contract with the Lexington-Fayette County Health Department (LFCHD) for the Home Network Project – FY2010. (374-10) (Gooding/Helm)

This request will authorize approval of an addendum to a contract for additional federal and state funds in the amount of \$50,000 for Medicaid and non-Medicaid clients with LFCHD for the Home Network project at the Family Care Center. The LFCHD is the granting agent for funds under a *pass through* agreement with the Kentucky Cabinet for Health & Family Services. The source of funds is the Kentucky Medical Assistance program and tobacco settlement funds. A local match for the additional funds is not required.**p.35**

- K. Authorization of a Quitclaim Deed and Release of Area Regarding Closure and Right-of-Way of Spring Grove Avenue. (376-10) (Webb)

This request will authorize approval of a quitclaim deed and release of area for the closure and right-of-way of Spring Grove Avenue to Springs Motel of Lexington, Inc. This request has been reviewed and approved by the Department of Law and appropriate divisions within LFUCG. There is no budgetary impact.**pp.36-37**

- L. *Authorization to Proceed with the Annual Urban Service Legal Process for 2010 (392-10) (Webb)

This request will authorize approval for the Department of Public Works & Development to precede with the annual Urban Service Legal Process for 2010 for the placement of new properties in appropriate tax districts. A public hearing is required and will be held on Tuesday, October 12, at the Council work session.**pp.38-39**

***Public Hearing**

- M. Authorization of a Quitclaim Deed with the Fayette County Board of Education (FCBE) to Transfer Right-of-Way. (394-10) (Webb)

This request will authorize approval of a Quitclaim Deed to transfer the right-of-way to FCBE for FCBE to construct a turn lane leading into the Keithshire Elementary School site. This request has been reviewed and

approved by the Department of Law and appropriate divisions within LFUCG. There is no budgetary impact.**p.40**

- N. Authorization of a Street Closure and a Quitclaim Deed with Property Owner at 3292 Richmond Road to Transfer Right-of-Way. (397-10) (Webb)

This request will authorize approval of the closure of the Richmond Service Road and a Quitclaim Deed to transfer the right-of-way to property owner at 3292 Richmond Road. This request has been reviewed and approved by the Department of Law and appropriate divisions within LFUCG. There is no budgetary impact.**pp.41-42**

- O. Authorization of Change Order No. 1 to Contract with Architectural Graphics, Inc. for LFUCG Wayfinding Program. (398-10) (Webb)

This request will authorize Change Order No. 1 to increase contract amount by \$5,227.79 with Architectural Graphics, Inc. for LFUCG Wayfinding program. The increase is a result of cost and labor of installing additional mounting brackets to 32 signs that was not included in the original scope of work. Funds are budgeted.**pp.43-45**

- P. Authorization to Accept Deeds of Easement for the Grimes Mill Bridge Rehabilitation Project. (377-10) (Gooding/Webb)

This request will authorize approval of deeds of easement in an amount not to exceed \$3,000 from recorded property owners for the Grimes Mill Bridge Rehabilitation project. Funds are budgeted.**p.46**

- Q. Authorization to Submit Grant Application to the Kentucky Heritage Council (KHC) and Accept Award if Offered, on Behalf of the Department of Public Works & Development, Division of Historic Preservation – FY2011. (393-10) (Gooding/Webb)

This request will authorize the submission of a grant application for federal funds in the amount of \$12,000 to KHC on behalf of the Division of Historic Preservation for a Survey and Planning project. A local match of 40% (\$8,000) is required. The match amount is being requested from the FY2011 General Fund budget. Funds will be used for salaries of existing personnel within the Division. Total project cost is \$20,000.**p.47**

- R. Authorization to Submit Grant Applications to the US Department of Housing & Urban Development (HUD) under the Community Challenge Planning Grant Program. (399-10) (Gooding/Webb)

This request will authorize the submission of two (2) grant applications to the HUD under the Community Challenge Planning Grant program. The first grant application is for the North Lexington Gateway Plan project for funds in the amount of \$500,000 for planning consultation services for a sustainable development plan with landowners surrounding the relocation of Bluegrass Community & Technical College (BCTC) along Newtown Pike. A 20% (\$100,000) match is required and will come from personnel costs of existing employees in the Lexington

Downtown Development Authority and the Divisions of Planning, Historic Preservation, Traffic Engineering, and Engineering. The professional service leverage will be provided by BCTC consulting team and LexTran. Total project cost is \$600,000. The second grant application is for the Landbanking Plan project for funds in the amount of \$250,000 for a plan to establish a Lexington-Fayette County Land Bank for development, redevelopment, and revitalization of property for affordable housing. A 20% (\$50,000) match is required and will be documented from personnel costs of existing employees in the Lexington Downtown Development Authority and LFUCG divisions. Total project cost is \$300,000.**p.48**

S. Authorization of an Agreement with the Office of the Fayette County Sheriff for the Collection of the 2010 Urban Services Property Taxes. (380-10) (Askew)

This request will authorize approval of an agreement with the Office of the Fayette County Sheriff for the collection of the 2010 Urban Services Property Taxes at a cost of \$350,000. The Sheriff is designated by KRS 134-10 and 160.500 as the collector of county, school and state property tax collections. This agreement will authorize the Sheriff to collect city taxes thereby allowing citizens to receive one (1) tax bill instead of two (2). After adjusting for the 75% – 25% county official fee return the net cost will be \$262,500.**pp.49-52**

T. Authorization of a Memorandum of Understanding (MOU) with Awesome Labs, LLC on Behalf of the Chief Information Office, Division of Government Communications. (381-10) (Sullivan/Dhuwaraha)

This request will authorize approval of a MOU with Awesome Labs, LLC on behalf of the Division of Government Communications, to allow a Downtown Touch Screen Network (DTSN) be attached to LexCall's display window. The DTSN will be used to promote shopping, dining and entertainment destinations in the downtown area. There is no budgetary impact.**pp.53-54**

U. Authorization of a Metaformers Consulting Services Agreement with Metaformers™ as LFUCG Open Enrollment Consultant. (389-10) (Cottle/Dhuwaraha)

This request will authorize approval of a Metaformers Consulting Services Agreement in the amount of \$105,709.60 with Metaformers™ as LFUCG Open Enrollment Consultant to assist the Divisions of Enterprise Solutions and Human Resources with significant changes to the benefits module in PeopleSoft™. Metaformers™ will assist with updating and configuring rate tables, adjusting tables to reflect new plan offerings, vendor changes and integrating providers into the LFUCG computer system. Funds are budgeted.**p.55**

- V. Authorization of a System Improvement Design and Construction Memorandum by and between Mrs. Virgie Hager, Ball Homes, LLC, and LFUCG and the Transfer of Exaction Credits to Ball Homes, LLC. (407-10) (Askew)
This request will authorize approval of a System Improvement Design and Construction Memorandum by and between Mrs. Virgie Hager, Ball Homes, LLC, and LFUCG for the donation of property located at 375 Chilesburg Road for a public park to LFUCG. On contingent of conditions by Mrs. Hager, Ball Homes and LFUCG, exaction credits of \$430,000 will be transferred to Ball Homes.**p.56-57**
- W. Authorization to Amend Section 1 of Resolution No. 371-2010 to Correct an Error in Salary. (382-10) (L. Jarvis/Rumpke)
This request will authorize approval of an amendment to Section 1 of Resolution No. 371-2010 to correct the bi-weekly salary of Esther Moberly from \$1,634.64 to \$1,775.76. There are no other changes associated with this amendment.**p.58**
- X. Authorization of an Agreement with the Jesse G. Harris, Jr., University of Kentucky (UK) Psychological Services Center on Behalf of the Department of Public Safety, Division of Fire & Emergency Services, to Conduct Psychological Evaluations. (386-10) (L. Jarvis/Rumpke)
This request will authorize approval of an agreement with Jesse G. Harris, Jr., UK Psychological Services Center on behalf of the Division of Fire & Emergency Services to conduct pre-employment psychological evaluation of firefighter candidates at a cost of \$300 per evaluation. Funds are budgeted.**p.59**
- Y. Authorization of a Medicare Early Retiree Subsidy Services Addendum to Agreement for Medicare Part D Implementation Services with Part D Advisors, Inc. (PDA). (387-10) (L. Jarvis/Rumpke)
This request will authorize approval of a Medicare Early Retiree Subsidy Services Addendum to the Agreement for Medicare Part D Implementation Services with PDA provided for in the Patient Protection and Affordable Care Act of 2010 to be retroactive to May 21, 2010. There is no budgetary impact.**p.60**
- Z. Authorization of an Amendment to Neighborhood Stabilization Program Redevelopment Agreement with REACH, Inc. (404-10) (Gooding/Rumpke)
This request will authorize approval of an amendment to replace Article III, paragraph 4 of the Neighborhood Stabilization Program Redevelopment Agreement between LFUCG and REACH, Inc. for the Douglass Heights project.**p.61**

AA. Authorization of an Agreement with Fayette County Local Development Corporation for a Development of Rental Housing Project. (405-10) (Gooding/Rumpke)

This request will authorize approval of an agreement for use of HOME Investment Partnerships Program funds in the amount of \$300,000 with the Fayette County Local Development Corporation for the development of twenty-seven (27) rental housing for low-income elderly households by the Russell Community Services Center at Russell School property.**p.62**

BB. Authorization of Modification No. 2 to the Neighborhood Stabilization Program (NSP) Funding Agreement with the Kentucky Department for Local Government (DLG) Regarding LFUCG Landbanking NSP Program. (406-10) (Gooding/Rumpke)

This request will authorize acceptance of Modification No. 2 to the NSP Funding Agreement requested by DLG regarding LFUCG Landbanking NSP Program to add a *funding-out* provision; a 30-day cancellation notice; clarifies oversight responsibilities; revises amount to be expended based on amounts projected by LFUCG, and adds a loan servicing agreement for funds permanently invested as down payment, closing cost or principal reduction. There are no other changes associated with this modification.**p.63**

CC. **Authorization to Amend Chapters 16 & 14 of the Code of Ordinances Regarding Construction Sites. (326-10) (Martin/Bush)

This request will authorize approval of an Ordinance to amend Chapter 16 relating to stormwater discharges from construction sites and deletes Section 14-60 from Chapter 14 relating to transportation, relocation of dirt, earth, debris and incorporates the section into Chapter 16 as amended. The Ordinance will not become effective until after Article 20 of the Zoning Ordinance is repealed or amended.**p.64**

****EPA Consent Decree**

DD. Authorization of Deeds of Easement for the Della Drive Storm Sewer Rehabilitation Project. (385-10) (Martin/Bush)

This request will authorize approval of Deeds of Easement in an amount not to exceed \$10,000 from recorded property owners for the Della Drive Storm Sewer Rehabilitation project. Funds are budgeted.**p.65**

EE. Authorization to Enter Into Grant Award Agreements with Autumn Ridge Homeowners Association, Inc. and Gainesway Neighborhood Association, Inc. for Stormwater Quality Projects. (401-10) (Martin/Bush)

This request will authorize approval to enter into Grant Award Agreements for Class A Neighborhood Stormwater Quality projects in the amount of \$11,183.75 with Autumn Ridge Homeowners Association, Inc. and in the amount of \$10,255 with Gainesway Neighborhood Association, Inc. A local match equal or greater than 20% of the grant award is required and will come from contributions, labor and other

services by the associations. The Stormwater Quality Projects Incentive grant program is funded through the Water Quality Management Fee. Total cost of projects is \$21,438.75. Funds are budgeted.**pp.66-67**

- FF. Authorization of an Agreement with Third Rock Consultants, Inc. for Environmental Consulting Services – Wolf Run Creek Watershed-Based Plan Project - Phase I. (391-10) (Gooding/Bush)
This request will authorize an agreement for an amount not to exceed \$177,200 with Third Rock Consultants, Inc. for Environmental Consulting Services – Wolf Run Creek Watershed-Based Plan project to reduce nonpoint source pollution. This project is grant funded by the US Environmental Protection Agency under the Clean Water Act (as amended) from the Kentucky Energy & Environment Cabinet. Funds are budgeted.**p.68**
- GG. Authorization of Change Order No. 1 to Contract with Bluegrass Contracting Corporation for the Vaughn's Branch Flood Hazard Mitigation Project. (402-10) (Gooding/Bush)
This request will authorize Change Order No. 1 to increase contract amount by \$26,657.50 with Bluegrass Contracting Corporation for the Vaughn's Branch Flood Hazard Mitigation Project for items not provided for in the original scope of work. Original contract amount was \$1,225,006.25. New contract amount is \$1,251,663.75. Funds are budgeted.**pp.69-72**
- HH. Authorization to Enter Into Grant Award Agreements under the 2010 EcoART Grant Program. (403-10) (Bush)
This request will authorize approval to enter into grant award agreements for a total of \$63,273 to eight (8) nonprofit organizations, three (3) individual Artists, and four (4) public and private schools under the 2010 EcoART grant program. The program encourages environmental art projects to educate local citizens on environmental issues, environmental responsibility and action leading to a sustainable community. Funds are budgeted.**p.73**
- II. Authorization to Declare Surplus Real Properties Owned by LFUCG and LFUCG Public Facilities Corporation and Offer for Sale by Bids. (400-10) (Baradaran/Cole)
This request will authorize the declaration of seventeen (17) surplus parcels of real property owned by LFUCG and LFUCG Public Facilities Corporation and offer parcels for sale by bids. All parcels are vacant with no structures.**pp.74-75**

*** Denotes Public Hearing**

****Denotes EPA Consent Decree**